



Cascade County Zoning Change Application

Cascade County Public Works Department

Planning Division

121 4th St No, STE 2H/I, Great Falls MT 59401

Phone: 406-454-6905 Fax: 406-454-6919

\$750.00 Non Refundable Application Fee

Payment: Check (#) _____

Cash _____

FOR OFFICE USE ONLY

Date Application Received: _____ File No: _____

Planning Board Hearing Date: _____ Action: _____

County Commission Hearing Date: _____ Action: _____

APPLICANT/OWNER:

Name: Higgins Enterprises LTD - Rick Higgins Phone: 406 - 788-4806

Mailing Address: PO Box 322

City/State/Zip Code: UIm, MT, 59485

Interest in property: Full

Check which applies:

☒ Map Amendment

☐ Text Amendment, Zoning Regulations

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Triple Tree Engineering - Jason Crawford Phone: 406-461-2115

Mailing Address: 3102 Old Broadwater Lane

City, State, Zip: Helena, MT, 59601

Email: jrcrawford@tripletreemt.com

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

A. What is the proposed zoning text/map amendment?

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: Flood Road
- B. Legal Description: TRACT OF RECORD 1A OF COS #5179 & TRACT OF RECORD 6 OF COS #5119
(*Lot/Block of Subdivision, or Geocode/Parcel #*)
- C. 34 / 20N / 3E
Section Township Range
- D. Total acreage: 172.61
- E. Zoning district: SR2
- F. The **present** zoning of the above property is: SR2
- G. The **proposed** zoning of the above property is: Open Space

APPLICATION REQUIREMENTS

An applicant must notify the Planning Division and request a pre-application meeting with planning staff. The pre-application meeting will be scheduled within thirty (30) days of the request. At this meeting, staff will indicate the necessary information within the application, process, and timeline for the rezoning petition process. The application for a rezoning petition must include the following and any additional materials requested by Planning Staff:

- (1) A letter signed by at least one landowner within the area to be rezoned explaining the requested rezoning.
Reference the attached cover letter signed by Jason Crawford and Rick Higgins.
- (2) A vicinity map of the parcels and surrounding area clearly identifying the location of the property.
Reference the attached vicinity map and the plat.
- (3) A legal description of the boundaries of the proposed district.
- (4) A lot layout plan may be required indicating some or all of the following:
Reference the attached plat and the preliminary plat application for River Bend Estates Phase II.
 - (a) Identify any covenants, liens, easements or any other encumbrances upon the parcel. If a description will not suffice, provide copies or exhibits when necessary.
 - (b) The land area of the parcel (found on deed, subdivision plat or certificate of survey at the Office of the County Clerk and Recorder or Planning Division).
 - (c) Describe the existing land use of the parcel and neighboring areas.
 - (d) Describe the anticipated impact upon neighboring property.
 - (e) On a site plan, indicate the dimensions of the property under consideration, the size and placement of existing structures, parking areas and landscaping areas.
 - (f) On a site plan, indicate the location of existing curb cuts or access points.
 - (g) On a site plan indicate the location of any existing utilities such as water, sewer, gas, electricity, storm sewer, rivers, creeks, streams, irrigation ditches, easements, historical land marks, or any other items that may affect the application.

- (5) Cite any previous request for a zone change or variance involving the parcel, as well as any action taken on previous requests.
- (6) **Application Fee:** All applications for rezoning must include an application fee of seven hundred fifty dollars (\$750.00).

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COUNTY COMMISSIONERS.

Criteria 1: Is the proposed amendment in accordance with the Growth Policy's five primary goals and associated objectives? **We are submitting this rezoning application as required by Cascade County Subdivision Regulations for 0.23 acres of property situated below the Base Flood Elevation. Reference attached map.**

Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.

Objectives:

- a. Stimulate the retention and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.
- b. Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.
- c. Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunications, and youth/social services.
- d. Promote the development of cultural resources and tourism to broaden Cascade County's economic base.
- e. Foster and stimulate well-planned entrepreneurship among the county's citizenry.
- f. Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.
- g. Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.
- h. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.
- i. Encourage the growth of the agricultural economy.
- j. Stimulate the growth of the economy by encouraging the use of alternative methods of energy production, including wind energy.

Goal 2: Promote and maintain Cascade County's rural character and the community's historic relationship with natural resource development.

Objectives:

- a. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands, and forests.
- b. Preserve Cascade County's scenic beauty and conserve its forests, rangelands and streams, with their abundant wildlife and good fisheries.
- c. Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.
- d. Assure clean air, clean water, a healthful environment and good community appearance.
- e. Support the development of natural resources including but not limited to timber, mining, oil and gas production, and renewable energy production.
- f. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfield processes.

Goal 3: Maintain agricultural economy.

Objectives:

- a. Protect the most productive soil types.
- b. Continue to protect soils against erosion.
- c. Protect the floodplain from non-agricultural development.
- d. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

Goal 4: Retain the presence of the US Military in Cascade County.

Objectives:

- a. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.
- b. Promote the location of additional military missions in Cascade County.
- c. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.
- d. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

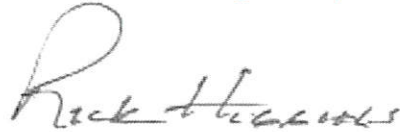
- a. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.
- b. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.
- c. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.
- d. Encourage the continued development of educational programs and facilities, recreational opportunities and spaced and health services for all county residents.

Is the proposed amendment designed to:

- Criteria 2:** Secure safety from fire and other dangers? *Fire requirements have been addressed with onsite water storage*
- Criteria 3:** Promote public health, public safety, and the general welfare?
- Criteria 4:** Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements? *Proper access to the subdivision, water and sewer service, schools, parks etc. have been addressed through the subdivision process.*
- Criteria 5:** The reasonable provision of adequate light and air? *Minimum lot size of the subdivision is 2 acres.*
- Criteria 6:** The effect on motorized and non-motorized transportation systems? *TIS was prepared showing a small increase in Flood Rd traffic*
- Criteria 7:** Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities? *The areas around the development are zoned SR1 and SR2*
- Criteria 8:** The character of the district and its peculiar suitability for particular uses? *We are rezoning as Open Space*
- Criteria 9:** Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area? *We are proposing to rezone as open space adjacent to the River.*
- Criteria 10:** Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities? *Great Falls is located 2 miles to the northeast with the closest properties inside the City limits zoned as R1 and R2.*

I hereby certify that the information on and attached to this application is true and correct. I understand the fees for this application are not refundable. By signing of this application I agree that the Cascade County Planning Division staff to be present on the property for routine monitoring and inspection during the application process.

Applicant's Signature:



Date:

5-3-2019

